REMARKS

This amendment is submitted in response to the Examiner's Action dated December 12, 2007. Applicants have canceled several claims and amended the remaining independent claim to more clearly and completely recite the novel features of the invention. No new matter has been added, and the amendments place the claims in better condition for allowance. Applicants respectfully request entry of the amendments to the claims. The discussion/arguments provided below reference the claims in their amended form.

Applicants are not conceding in this application that the previous independent claims and their dependent claims, as previously presented, were not patentable over the art cited by the Examiner. The present claim amendments and cancellations are only for facilitating expeditious prosecution of the remaining claims, which are allowable over the references. Applicants respectfully reserve the right to pursue the previous claims and other claims in one or more continuations and/or divisional patent applications.

CLAIMS OBJECTIONS

In the present Office Action, Claim 11 is objected to because of informalities. Claim 11 has been canceled, rendering the rejection moot.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103

In the present Office Action, Claims 1-6, 8, 10, 11, 17-22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Challener* (U.S. Patent Publication No. 2002/0169717) in view of *Kean* (U.S. Patent Publication No. 2002/0199110). Further, Claims 7 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Challener* in view of *Kean* and in view of *Smith* (U.S. Patent No. 6,233,685) and in view of *Wood et al.* (U.S. Patent Publication No. 2006/0072747). The combinations of references do not render Applicants' claimed invention unpatentable because those combinations do not teach or suggest several features recited by Applicant's claims.

For purposes of this Amendment, Applicants directly traverses the rejections of independent Claim 1, which rejections are based on the combination of *Challener* and *Kean* and *Smith*. Applicants also indirectly traverses the other rejections of dependent claims, based in part on their dependency on allowable independent Claim 1.

A.3.1 General requirements for a claim rejection under 35 U.S.C. § 103(a)

According to 35 U.S.C. §103(a):

> A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

In order to make the obviousness determination, the U.S. Supreme Court held in *Graham v. John Deere Co.*, 383 U.S. 1 (1966) (hereinafter *John Deere*) that three factors must be considered:

(1) the scope and content of the pertinent prior art;
(2) differences between the pertinent prior art and the invention at issue; and
(3) the ordinary level of skill in the pertinent art.

In *KSR International Co. v. Teleflex, Inc. et al.*, 127 S. Ct. 1727 (2007) (hereinafter *KSR*), the U.S. Supreme Court upheld the use of the *John Deere* analysis, and further clarified that a non-obviousness determination must include an inquiry as to "whether the improvement is more than the predictable use of prior art elements according to their established functions."

Under the *John Deere* (and/or *KSR*) evaluation of Applicants' claims against the prior art references, the above combination of references presented by Examiner does not render Applicants' claims obvious because the various references and combinations thereof fail to teach and/or suggest several features recited by Applicants' claims. That is, the differences between the prior art preferences and the claimed invention are such that one skilled in the pertinent art would not find Applicants' invention to be suggested by the combination proffered by the Examiner.